

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PEARL ASSET MANAGEMENT LLC,

Plaintiff,

-against-

BRETZ GROUP, ET AL.,

Defendants.

23-CV-10687 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Pearl Asset Management LLC, brings this action *pro se*. It has filed a complaint¹ commencing a civil action in this court, and has not paid the fees to bring this action or sought to proceed *in forma pauperis* (“IFP”). A corporation, such as Plaintiff, however, cannot proceed *pro se* in federal court; it can only appear in federal court if it is represented by an attorney.

Iannaccone v. Law, 142 F.3d 553, 558 (2d Cir. 1998); *see Rowland v. Ca. Men’s Colony, Unit II Advisory Council*, 506 U.S. 194, 201-02 (1993).

In addition, to proceed with a civil action in federal court, a plaintiff must normally either pay \$405.00 in fees – a \$350.00 filing fee plus a \$55.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915. A corporation, such as Plaintiff, however, may not proceed IFP. *See Med./Surgical Grp. Trust v. N.Y.S. Energy Res. & Dev. Auth.* No. 13-CV-1109, 2013 WL 8350149, at *1 (N.D.N.Y. Dec. 6, 2013) (quoting *Sears, Roebuck & Co. v. Charles W. Sears Real Estate, Inc.*, 686 F. Supp. 385, 387 (N.D.N.Y. 1988)), *report & recommendation adopted*, 2014

¹ Plaintiff filed this complaint in the United States District Court for the Eastern District of Pennsylvania, and that court transferred the matter here. *See Pearl Asset Mgmt. LLC v. Bretz Group*, No. 23-CV-4588 (E.D. Pa. Nov. 29, 2023).

WL 1666446 (N.D.N.Y. Apr. 24, 2014); *see also Rowland*, 506 U.S. at 196 (“only a natural person may qualify for treatment [IFP]”). Thus, it must pay the fees to proceed with a civil action in this court. *See* § 1914.

Because Plaintiff is a corporation, has not indicated that it is represented by an attorney, and has not paid the fees to bring this action, within 30 days of the date of this order, an attorney representing Plaintiff must file a notice of appearance in this action and Plaintiff must pay the \$405.00 in fees with the Clerk of Court. If these directives are followed, this action shall be processed in accordance with the procedures of the Clerk’s Office. If either directive is not followed, the Court will dismiss this action without prejudice.

SO ORDERED.

Dated: December 12, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge